IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

WRIT PETITION NO.2394 OF 2007

Sunanda Chavan .... Petitioner
V/s.
Union of India & Others .... Respondents

Mr.A.S. Kallapura for the petitioner.
Mr.R.R. Shetty for Union of India.

CORAM : SWATANTERKUMAR, C.J.
&
J.P. DEVADHAR, J.

DATED : 7TH DECEMBER 2007.

P.C. :

We have heard learned counsel appearing for the parties.

2. Counsel appearing for the respondent raised preliminary objection with regard to maintainability of this writ petition. It is contended that vide order dated 23rd August, 2007, the Central Administrative Tribunal has directed the respondents to consider the case of the petitioner and to pass an order afresh. In furtherance to these directions, the Authorities have passed an order dated 12th November, 2007 and that has to be challenged before the Central Administrative Tribunal and not by way of present writ petition.

3. The learned counsel appearing for the petitioner submits that without prejudice to his rights and contentions, the

petitioner would file appropriate petition before the Central Administrative Tribunal. In the meanwhile, the respondents should not forcibly evict the petitioner from the staff quarters.

4. The writ petition is disposed of as withdrawn with liberty to the petitioner to approach Central Administrative Tribunal in accordance with law.

5. However, for a period of one month from today, the petitioner will not be evicted from the staff quarters.

6. With these directions the writ petition is disposed with no order as to costs.

CHIEF JUSTICE

J.P. DEVADHAR, J.